

BEFORE
THE BOARD OF SUPERVISORS
OF THE COUNTY OF MADERA
STATE OF CALIFORNIA

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 9.74 TO CHANGE ITS TITLE TO "PARKS, RECREATIONAL AREAS, AND CEMETERIES" AND ADD SECTIONS 9.74.110, 9.74.120, 9.74.130, AND 9.74.140, REGARDING TRESPASSING, LOITERING, AND POSSESSION AND CONSUMPTION OF ALCOHOL IN CEMETERIES

The Board of Supervisors of the County of Madera, State of California, hereby ordains as follows:

SECTION 1

The title of Chapter 9.74 of the Madera County Code is amended to be, in its entirety, "Parks, Recreational Areas, and Cemeteries."

SECTION 2

Section 9.74.110 is hereby added to the Madera County Code, to read in its entirety as follows:

9.74.110 Madera Cemetery District grounds; trespassing and loitering.

The grounds and facilities of the Madera Cemetery District shall be open to the public only between sunrise and sunset each day of the week. It is unlawful for any person to be in the facilities or on the grounds of the Madera District Cemeteries after sunset and before sunrise and such trespass is declared to be a misdemeanor. Any person having obtained an extended use permit from the director of the Cemetery District shall be permitted to use the indicated cemetery or such hours as are specified in the permit and shall not be in violation of this section for such use.

SECTION 3

Section 9.74.120 is hereby added to the Madera County Code, to read in its entirety as follows:

9.74.120 Warning signs.

The provisions of Section 9.74.110 shall not apply to a Madera Cemetery District cemetery unless that cemetery is posted with signs at all roads and paths entering the cemetery. The signs shall read as follows:

TRESPASSING AND LOITERING PROHIBITED

It is unlawful for any person to be in the facilities or on the grounds of the Cemetery between sunset and sunrise unless such person has obtained an Extended Use Permit through the Madera Cemetery District.

Violation of this Ordinance is a Misdemeanor.
Authority: Madera County Code Section 9.74.110

SECTION 4

Section 9.74.130 is hereby added to the Madera County Code, to read in its entirety as follows:

9.74.130 Consumption of alcohol at Madera Cemetery District cemeteries.

It is unlawful for any person to consume alcohol on the grounds or property of the Madera Cemetery District, unless as part of a group having obtained a permit from the Madera Cemetery District, with such permit expressly permitting possession or consumption of alcoholic beverages.

SECTION 5

Section 9.74.140 is hereby added to the Madera County Code, to read in its entirety as follows:

9.74.140 Warning signs.

The provisions of Section 9.74.130 shall not apply to a Madera Cemetery District cemetery unless the cemetery is posted with signs at all roads and paths entering the cemetery. The signs shall read as follows:

ALCOHOLIC BEVERAGES PROHIBITED

It is unlawful for any person to consume alcoholic beverages on the facilities or the grounds of the Cemetery unless expressly permitted by the Madera Cemetery District.

Violation of this Ordinance is a Misdemeanor.
Authority: Madera County Code Section 9.74.130

SECTION 6

This ordinance shall take effect thirty (30) days after enactment.

///

* * * * *

The foregoing Ordinance was adopted this _____ day of _____,
2009, by the following vote:

Supervisor Bigelow voted: _____

Supervisor Moss voted: _____

Supervisor Dominici voted: _____

Supervisor Rodriguez voted: _____

Supervisor Wheeler voted: _____

Chairman, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved as to Legal Form:
COUNTY COUNSEL

By _____

ACCOUNT NUMBER(S):

